

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 20-284 (ECT)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**GOVERNMENT'S OPPOSITION TO
MOTION FOR EXTENSION OF TIME
TO SURRENDER**

JENNIFER LYNN BOUTTO,

Defendant.

On December 13, 2021, Defendant Jennifer Lynn Boutto moved the Court to delay her self-surrender date by 42 days—from December 16, 2021 until January 27, 2022—because she is her husband's primary care provider. (Dkt. 42.) Although unquestionably difficult, the government opposes the motion.¹

At Ms. Boutto's October 18 sentencing, the government did not object to a self-surrender date of December 16. Although a longer than customary window for self-surrender, the government was sympathetic to the realities of her husband's medical condition. The current motion indicates that "Ms. Boutto is essential in [her husband's] daily care" and that her husband "would *not* have been released to his home if Ms. Boutto were not there." But Ms. Boutto's supporting documentation indicates that her husband refused medical advice to enter a long-term care facility and instead opted to return home on or about November 22 under his wife's care.

¹ The government also notes that the Bois Forte Band of Chippewa opposes Ms. Boutto's motion.

(Dkt. 43 at 2.) Ms. Boutto's December 16 self-surrender date was well known at the time of her husband's decision to return home.

The timing of self-surrender is firmly within the Court's discretion and is unlikely ever to be convenient. But, on this record, the government cannot support an additional extension on grounds that appear to have been avoidable and appear unlikely to resolve in the near future.

Dated: December 13, 2021

Respectfully Submitted,

CHARLES J. KOVATS, JR.
Acting United States Attorney

/s/ Jordan L. Sing

JORDAN L. SING
Assistant United States Attorney